

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Patent No: 6,533,788****Current Named Inventor: Jorge L. Orbay      Assignee: Hand Innovations, LLC****Attorney Docket: HAN-006****Title: Locking Device for Intramedullary Pin Fixation****Honorable Commissioner for Patents  
Alexandria, VA 22313****Sir:****PETITION TO CORRECT INVENTORSHIP IN A PATENT UNDER 37 CFR 1.324**

Through error, Javier Castañeda, having a residence and postal address of 9520 SW 117th Court, Miami, FL 33186 and being a United States citizen, was not named as an inventor in the above referenced patent. This error occurred without any deceptive intention on his part. Both Javier Castañeda and Jorge Orbay (currently named) should be named as inventors. The Commissioner for Patents is hereby petitioned to correct inventorship of the patent and issue a certificate of correction naming the actual inventors.

In association with this Petition and in accord with the requirements, a statement from the inventor being added, a statement from the current inventor, a statement from the assignee, and the fee set forth in § 1.20(b) are also provided herewith.

Respectfully submitted,



David S. Jacobson  
Reg. No. 39,235  
Attorney for Applicant(s)

GORDON & JACOBSON, P.C.  
65 Woods End Road  
Stamford, CT 06905  
voice: (203) 329-1160  
fax: (203) 329-1180  
August 9, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Patent No: 6,533,788****Current Named Inventor: Jorge L. Orbay      Assignee: Hand Innovations, LLC****Attorney Docket: HAN-006****Title: Locking Device for Intramedullary Pin Fixation****Honorable Commissioner for Patents  
Alexandria, VA 22313****Sir:****STATEMENT OF JAVIER CASTAÑEDA UNDER 37 CFR 1.324(b)(1)****I declare that:**

- (a) I have reviewed and understand the contents of U.S. Patent No. 6,533,788 (including claims 1-22). At the time of filing the application, the originally named inventor, Jorge L. Orbay, did not appreciate that Javier E. Castañeda had contributed to the claimed invention. After the issuance of the patent, I became aware of the existence and scope of the patent. I believe that I am a joint inventor of the subject matter which is claimed in the patent.
- (b) The inventorship error of failing to include me, Javier E. Castañeda, as an inventor of the patent occurred without any deceptive intention on my part.
- (c) I acknowledge the duty to disclose information which is material to the examination of the application in accordance with 37 CFR 1.56(a).
- (d) I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful

false statements may jeopardize the validity of the application or any patent issued thereon.

**Joint Inventor to be added**

Signature

 \_\_\_\_\_

Date 8-18-04

Full Name: Javier E. Castañeda

Residence: 9520 SW 117th Court, Miami, FL 33186

Citizenship: US

P.O. Address: same as residence

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Patent No: 6,533,788****Current Named Inventor: Jorge L. Orbay      Assignee: Hand Innovations, LLC****Attorney Docket: HAN-006****Title: Locking Device for Intramedullary Pin Fixation****Honorable Commissioner for Patents  
Alexandria, VA 22313****Sir:****STATEMENT OF JORGE L. ORBAY UNDER 37 CFR 1.324(b)(2)**

As the inventor of the above referenced patent, having residence and citizenship as listed below I hereby declare that:

- (a) I have reviewed and understand the contents of U.S. Patent No. 6,533,788 (including claims 1-22). At the time of filing the application, the originally named inventor, Jorge L. Orbay, did not appreciate that Javier E. Castañeda had contributed to the claimed invention.
- (b) I agree with the change of inventorship that adds Javier E. Castañeda as a joint inventor of the subject matter which is claimed in the patent.
- (c) I acknowledge the duty to disclose information which is material to the examination of the application in accordance with 37 CFR 1.56(a).
- (d) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful

false statements may jeopardize the validity of the application or any patent issued thereon.

**First- Named Joint Inventor**

Signature \_\_\_\_\_

Date \_\_\_\_\_

8/18/04

Full Name: Jorge L. Orbay

Residence: 390 Campana Avenue, Miami, FL 33156

Citizenship: US

P.O. Address: same as residence

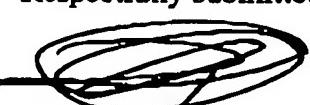
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Patent No: 6,533,788****Current Named Inventor: Jorge L. Orbay      Assignee: Hand Innovations, LLC****Attorney Docket: HAN-006****Title: Locking Device for Intramedullary Pin Fixation****Honorable Commissioner for Patents  
Alexandria, VA 22313****Sir:****STATEMENT BY ASSIGNEE HAND INNOVATIONS, LLC  
UNDER 37 CFR 1.324(b)(3)**

Hand Innovations, LLC, having an address of 8905 S.W. 87th Avenue, Miami, FL 33176, is the assignee of the entire right, title, and interest in the above-referenced patent, agrees to the change in inventorship in the patent adding Javier Castañeda as an inventor.

Evidence indicating Hand Innovations, LLC's ownership interest in the patent is provided at (1) REEL 012389 FRAME 0716 which records a transfer of the entire right, title, and interest in the patent application issuing as U.S. Pat. No. 6,533,788 from Jorge L. Orbay to Hand Innovations, Inc., and the attached copy of an assignment document which indicates that U.S. Pat. No. 6,533,788 was assigned from Hand Innovations, Inc. to Hand Innovations, LLC on June 23, 2004, and (2) a copy of an assignment document which assigns Javier Castañeda's entire right, title, and interest in U.S. Pat. No. 6,533,788 to Hand Innovations, LLC.

I am authorized to act on behalf of and sign this statement on behalf of Hand Innovations, LLC.

Respectfully submitted,

  
Jorge L. Orbay  
for Hand Innovations, LLC

PTO/SB/44 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCEUnder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
(Also Form PTO-1050)**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO : 6,533,788 B1  
DATED : March 18, 2003  
INVENTOR(S) : Jorge L. Orbay et al.

It is certified that error appears in the above-identified patent and that said Letters Patent  
is hereby corrected as shown below:

In field (75) of the title page, add "Javier E. Castañeda, Miami, FL (US)"

## MAILING ADDRESS OF SENDER:

Gordon & Jacobson, P.C.  
85 Woods End Road  
Stamford, CT 06905

PATENT NO. 6,533,788 B1

No. of additional copies



Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.  
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## ASSIGNMENT

WHEREAS, Hand Innovations, Inc., ("Assignor") is a corporation having an address of 8905 S.W. 87th Avenue, Suite 220, Miami, FL 33176; and

WHEREAS, Hand Innovations LLC, a limited liability company having an address of 8905 S.W. 87th Avenue, Miami, FL 33176, its heirs, successors, legal representatives and assigns ("Assignee") is desirous of acquiring the entirety of Assignor's right, title and interest in and to the inventions disclosed in the following (i) thirteen (13) United States patent applications and ten (10) issued United States patents (all with associated attorney docket numbers), and (ii) any corresponding pending applications and issued patents throughout the world, including but not limited to those listed below:

U.S. Patents

6,200,321 (HAN-001)  
 6,273,892 (HAN-002)  
 6,358,250 (HAN-003)  
 6,440,135 (HAN-004)  
 6,364,882 (HAN-005)  
 6,533,788 (HAN-006)  
 6,730,090 (HAN-007)  
 6,508,819 (HAN-008)  
 6,712,820 (HAN-008A)  
 6,706,046 (HAN-018)

U.S. Patent Applications

10/159,612 (HAN-004CIP)  
 10/307,796 (HAN-015)  
 10/401,089 (HAN-020)  
 10/686,291 (HAN-021A)  
 10/686,285 (HAN-021B)  
 10/664,371 (HAN-022)  
 10/689,797 (HAN-025)  
 10/767,128 (HAN-026)  
 10/724,305 (HAN-027)  
 10/762,695 (HAN-030)  
 10/806,540 (HAN-031)  
 60/538,589 (HAN-028P1)  
 60/546,127 (HAN-028P2)

Foreign Patents

744954 (HAN-001)

Australia

Foreign Patent Applications

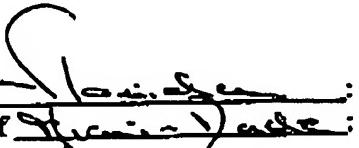
P19913631-7	(HAN-001)	Brazil
2343378	(HAN-001)	Canada
9994566.3	(HAN-001)	EPO
2000-569709	(HAN-001)	Japan
2001233015	(HAN-003)	Australia
P10108011-3	(HAN-003)	Brazil
2396850	(HAN-003)	Canada
01905098.8	(HAN-003)	EPO
150980	(HAN-003)	Israel
2001-556153	(HAN-003)	Japan
10-2002-7009742	(HAN-003)	Korea
PA/a/2002/007250	(HAN-003)	Mexico
PCT/US03/15873	(HAN-004CIP)	PCT
2002335116	(HAN-006)	Australia
	(HAN-006)	Brazil
02802454.5	(HAN-006)	EPO
	(HAN-006)	Japan
PCT/US03/37313	(HAN-015)	South Africa
PCT/US03/14775	(HAN-018)	PCT
		PCT

PCT/US04/08753	(HAN-020)	PCT
PCT/US04/08752	(HAN-022)	PCT
PCT/US04/08751	(HAN-027)	PCT

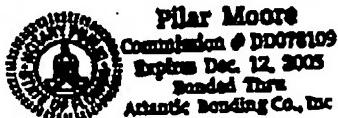
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Assignor, by and through its authorized representative, Jorge L. Orbay, hereby sells, assigns and transfers unto said Assignee the entirety of Assignor's right, title and interest to said inventions in the United States and throughout the world, and the entirety of Assignor's right, title and interest in and to any and all patents that have been or may be granted throughout the world therefor, and in and to any and all patent applications, divisionals, continuations, continuations-in-part, reissues, and extensions thereof for the full term or terms for which the same may be granted.

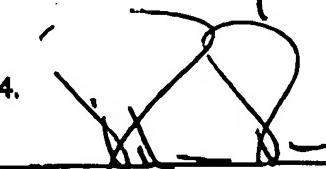
IN WITNESS WHEREOF, I, Jorge L. Orbay have hereunto set my hand and seal this 23<sup>rd</sup> day of June, 2004.

  
\_\_\_\_\_  
Jorge L. Orbay  
President  
Hand Innovations, Inc.

  
\_\_\_\_\_  
State of Florida:  
County of Hillsborough:

Subscribe and sworn to before me this 23<sup>rd</sup> day of June, 2004.



  
\_\_\_\_\_  
Notary Public

DOCKET

HAN-006

**ASSIGNMENT**

WHEREAS, I, Javier Castañeda, hereinafter referred to as the "Inventor", a citizen of the United States whose post office address is 9520 SW 117th Court, Miami, FL 33186 have invented certain new and useful improvements in

**LOCKING DEVICE FOR INTRAMEDULLARY PIN FIXATION**

as described in U.S. Patent No. 6,533,788.

AND WHEREAS, HAND INNOVATIONS, LLC hereinafter referred to as the "said COMPANY", a company having a place of business at 8905 S.W. 87th Avenue, Miami, FL 33176, is desirous of acquiring or confirming its acquisition of the entire right, title and interest in and to said invention, inventions or improvements, and in and to said patents, both of the United States and of all foreign countries.

NOW, THEREFORE TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that I, the Inventor, for good and valuable considerations, the receipt and sufficiency of which I hereby acknowledge, have sold, assigned, transferred and conveyed, and by this assignment do sell, assign, transfer and convey, unto said COMPANY, its successors and assigns, the entire right, title and interest throughout the world, in and to my invention, inventions or improvements described or set forth in said patent, and in and to any and all patents, certificates, utility models, reissues, extensions, additions or confirmations thereof which may be granted in the United States or in any foreign country upon said invention, inventions or improvements, to have and to hold the same to the full end of the term or terms for which any and all such United States and foreign patents and grants may be issued on said invention, inventions or improvements.

AND I do hereby authorize and request the issuing authority to issue any and all of said United States and foreign patents to said COMPANY, its successors and assigns, as the assignee of the entire right, title and interest in and to the same, for the sole use and benefit of said COMPANY, it successors and assigns.

AND I do hereby covenant and warrant that I have full right to convey the entire right, title and interest herein assigned free and clear of all licenses, encumbrances and liens whatsoever, and that I have not executed and will not execute any instruments in conflict herewith.

AND I, for the conditions aforesaid, do hereby covenant and agree to and with the said COMPANY, its successors and assigns, that I, my executors, administrators, or other personal representatives, shall and will do all lawful acts and things, make all rightful oaths, and make, execute, and deliver any and all other instruments in writing, and any and all further applications, papers, powers, affidavits, assignments, disclaimers and other documents, which in the opinion of counsel for said COMPANY, its successors and assigns, may be required or necessary in this or in any foreign country more effectually to secure to and vest in said COMPANY, its successors and assigns, the entire right, title and interest in and to said invention, inventions, or improvements, patents, rights, titles, benefits, privileges and advantages hereby sold, assigned, confirmed, transferred and conveyed.

The undersigned hereby grant(s) David P. Gordon, Esq., David S. Jacobson, Esq., and Jay P. Sbrollini, Esq. the power to insert on this Assignment any further identification which may

DOCKET  
HAN-006

be necessary in order to comply with the rules of the U.S. Patent and Trademark Office for the recordation of this document.

IN WITNESS WHEREOF, I, Javier Castañeda, have hereunto set my hand and seal this  
18<sup>th</sup> day of August, 2004.

  
Javier Castañeda

County of Miami-Dade )  
State of Florida ) ss:

SEAL

My commission expires:



Pilar Moore  
Commission # DDC78109  
Expires Dec. 12, 2005  
Bonded Thru  
Atlantic Bonding Co., Inc.

Notary Public

DAVID P. GORDON  
ADMITTED IN CT AND NY

DAVID S. JACOBSON  
ADMITTED IN CT, NY AND NJ

JAY P. SBROLLINI  
ADMITTED IN NY, MA AND DC

OF COUNSEL:  
THOMAS A. GALLAGHER  
ADMITTED IN NY AND NJ

## GORDON & JACOBSON, P.C.

### INTELLECTUAL PROPERTY LAW

60 LONG RIDGE ROAD  
SUITE 407  
STAMFORD, CT 06902  
TEL: 203-323-1800  
FAX: 203-323-1803

PATENTS  
TRADEMARKS  
COPYRIGHTS  
COUNSELING  
LICENSING  
LITIGATION

# FACSIMILE

To: Francis Hicks

Date: September 20, 2005

Fax No.: 571-273-0025

No. Pages: 14 (including cover)

From: Meryl Allen

Subject: Petition to Inventorship for Patent No. 6,533,788

Comments:

---

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

#H

Stamp acknowledged receipt by PTO of:

Cover Page (1 Page)

Petition to Correct Inventorship (1 page)

Statement of Javier Castaneda Pursuant to 37 CFR 1.324(b)(1) (2 pages)

Statement of Jorge L. Orbay Pursuant to 37 CFR 1.324(b)(2) (2 pages)

Statement by Assignee Hand Innovations, LLC Pursuant to 37 CFR 1.324(b)(3) (1 page)

Certificate of Correction (1 page)

Copies of:

Assignment from Hand Innovations, Inc. to Hand Innovations, LLC (2 pages)

Assignment from Javier Castaneda to Hand Innovations, LLC (2 pages)

A check made out to the Commissioner of Patents and Trademarks in  
the amount of \$230  
All in Patent No. 6,533,788

(HAN-006)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No: 6,533,788

Current Named Inventor: Jorge L. Orbay      Assignee: Hand Innovations, LLC

Attorney Docket: HAN-006

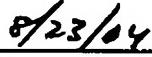
Title: Locking Device for Intramedullary Pin Fixation

Honorable Commissioner for Patents  
Alexandria, VA 22313

Sir:

I hereby certify that this and the attached correspondence are being deposited on this day with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

  
David S. Jacobson

  
Date

## ATTACHED HEREWITH ARE:

- Petition To Correct Inventorship In A Patent Under 37 CFR 1.324
- Statement Of Javier Castañeda Under 37 CFR 1.324(b)(1)
- Statement Of Jorge L. Orbay Under 37 CFR 1.324(b)(2)
- Statement By Assignee Hand Innovations, LLC Under 37 CFR 1.324(b)(3)
- Assignment From Hand Innovations, Inc. To Hand Innovations, LLC
- Assignment From Javier Castañeda To Hand Innovations, LLC
- Check In The Amount Of \$230 (\$130 For Petition Fee Under 1.20(b) and \$100 for Certificate of Correction)

Respectfully submitted,

  
David S. Jacobson  
Reg. No. 39,235  
Attorney for Applicant(s)

GORDON & JACOBSON, P.C.  
65 Woods End Road  
Stamford, CT 06905  
voice: (203) 329-1160  
fax: (203) 329-1180  
email: davidj@gordonjacobson.com

August 9, 2004